

COMPLAINTS

Purpose: This category describes how clients can have their complaints heard and responded to by the department and describes how to file discrimination complaints with federal or state agencies.

WAC 388-426-0005 Client complaints.

- (1) Clients who believe they have been discriminated against by the department for reason of race, color, creed, political affiliation, national origin, religion, age, gender, disability, or birthplace have the right to file a complaint. Clients can file discrimination complaints with the:
 - (a) DSHS, Division of Access and Equal Opportunity, PO Box 45012, Olympia, WA, 98504;
 - (b) Administrator, Food and Nutrition Services, 3101 Park Center Dr., Alexandria, VA, 22302; or
 - (c) Secretary of Agriculture, US Department of Agriculture, Washington DC, 20250.
- (2) Clients with a complaint about a department decision or action have the right to present their complaint, in writing, to a supervisor in the local office.
 - (a) Within ten days of the receipt of the complaint:
 - (i) A decision will be made on the client's complaint; and
 - (ii) The client will be sent written notice of the decision, including information about the right to further review by the local office administrator.
 - (b) Clients not satisfied with the decision of a supervisor have the right to present a written complaint to the local office administrator. Within ten days of the receipt of the complaint:
 - (i) A decision will be made on the complaint, and

- (ii) The client will be sent written notice of the decision.
- (c) Written notice of the administrator's decision concludes the complaint procedure.
- (d) The filing of a written complaint does not prevent a client from requesting a fair hearing under WAC 388-08-413.
- (e) Clients have the right to speak to a worker's supervisor or have a decision or action reviewed by the supervisor, whether or not a formal complaint has been filed.

CLARIFYING INFORMATION

1. If a complaint is received on an issue which is the subject of a pending hearing or judicial review, the CSO may respond to the complaint by informing the client that the resolution will come from the hearing decision or the judicial review.
2. See WAC 388-200-1350 when a complaint is received from a client who has been designated NSA or when a complaint is received relating to NSA designation or accommodation plans.
3. See WAC 388-538-110 for complaints related to Managed Care contractors

WORKER RESPONSIBILITY

1. When a client is dissatisfied with a department decision or action, explain the basis for the action and the rules that govern the decision.
2. Provide a complete explanation of the available options for review of department decisions, including the complaint procedure, the right to a supervisor conference, the option to contact the Constituent Relations Unit (CRU), and the right to request a fair hearing.
3. If the client makes a verbal complaint of discrimination and refuses or is unable to put it into writing, the person to whom the allegation is made must put the elements of the complaint into writing.
4. If the client decides to make a complaint:

- a. Provide the client with assistance if necessary to put the complaint in writing;
 - b. If a civil rights allegations, provide Discrimination brochure/complaint form DSHS 22-171(x) or Food Stamp brochure/complaint form DSHS 22-252; and
 - c. Deliver the complaint immediately to the appropriate supervisor.
 - d. Provide the phone number for CRU if requested.
5. A log for Discrimination Complaints must be maintained in each CSO. The log must contain the following information:
- a. Date of complaint;
 - b. Name, address, telephone number, and client ID of the person making the complaint;
 - c. The specific location and name of the agency that authorizes the benefits;
 - d. Nature or type of complaint (i.e., race, color, sex, etc.);
 - e. The names, titles, and business addresses (if available) of people who may have knowledge of the discriminatory action;
 - f. Disposition of complaint and date; and
 - g. Copy of the written response to the complaint.